



08-08-07

PTO/SB/21 (09-04)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/561, 656

Filing Date

November 17, 2006

First Named Inventor

Jong Joseph Kim

Art Unit

Examiner Name

To Be Determined

Attorney Docket Number

133121.00201

ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment / Reply

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☒ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Reply to Missing Parts/
Incomplete Application

☐ Reply to Missing Parts
under 37 CFR 1.52 or 1.53

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a
Provisional Application

☐ Power of Attorney, Revocation
Change of Correspondence
Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ Landscape Table on CD

☐ After Allowance Communication to TC

☐ Appeal Communication to Board
of Appeals and Interferences

☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s)
(please identify below):

Forms SB/08a and SB/08b (9 pp.); (114)
References Cited, (57) References Enclosed.

Remarks

EXPRESS MAIL LABEL NO: EM 028 283 267 US

DATE OF DEPOSIT: August 6, 2007

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm

Pepper Hamilton LLP

Signature

Printed Name

Mark DeLuca

Date

8/7/07

Reg.
No.

33,229

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Typed or printed name

Date

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DOCKET NO.: 133121.00201

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: **Jong Joseph Kim**

Application No.: 10/561,656

Group Art Unit: 1617

Filing Date: November 17, 2006

Examiner: **To Be Determined**

For: **ANTIVIRAL COMPOSITIONS AND METHODS OF USING THE SAME**

EXPRESS MAIL LABEL NO.: EM 028 283 267 US
DATE OF DEPOSIT: August 6, 2007

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §§ 1.56 and in accordance with 37 C.F.R. §§ 1.97 and 1.98, information relating to the above-identified application is hereby disclosed, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO Form SB08A and PTO Form SB/08B, formerly known as PTO Form 1449 submitted herewith.

Inclusion of the information submitted herewith is not to be construed as an admission that the information is material as that term is defined in 37 C.F.R. § 1.56(b).

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

This Information Disclosure Statement is being filed:

- ☐ within three months of the filing date of the patent application.
- ☐ within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 of the international application.
- ☒ **before** the mailing date of a first Office Action on the merits.
- ☐ **after** the mailing date of a first Office Action on the merits, but before the mailing date of a Final Office Action under 37 C.F.R. § 1.116 or a Notice of Allowance under 37 C.F.R. § 1.311, and accordingly is accompanied by:
 - ☐ the Statement under 37 C.F.R. § 1.97(e) (see “Statement” below);
 - or**
 - ☐ the Fee of \$180.00 set forth in 37 C.F.R. § 1.17(p); or
 - ☐ No fee is owed by the applicant(s).
- ☐ In accordance with 37 C.F.R. § 1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, and accordingly is accompanied by the Statement under 37 C.F.R. § 1.97(e) (see “Statement” below) and the fee of \$180.00 as set forth in 37 C.F.R. § 1.17(p), is attached.
- ☐ **after** the mailing date of a Final Office Action under 37 C.F.R. § 1.116 or a Notice of Allowance under 37 C.F.R. § 1.311, but before the payment of the Issue Fee, and accordingly is accompanied by the Statement under 37 C.F.R. § 1.97(e), (see “Statement,” and “Fees” below).
- ☒ Copies of the references listed on the attached PTO Forms SB/08a and SB/08b, formerly known as PTO Form 1449 are enclosed.

EXCEPT THAT:

- ☒ In view of the voluminous nature of reference **Citation No. 114**, and the likelihood that this reference is available to the Examiner, copies are not enclosed herewith.
- ☐ In accordance with 37 C.F.R. § 1.98(d), copies of the following references listed on the attached PTO Form SB/08A and PTO Form SB/08B, formerly known as PTO Form 1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application.
- ☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

Statement under 37 C.F.R. § 1.97(e)

- ☐ The undersigned attorney hereby states that each item information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.

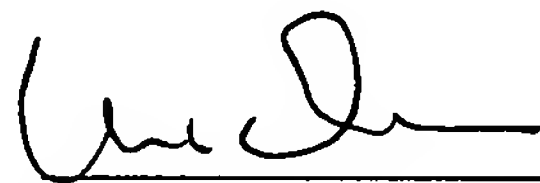
Fees

- ☒ No Fee is owed by the applicant(s).
- ☐ The Information Disclosure Statement Fee of \$180.00 under 37 C.F.R. § 1.17(p) is enclosed herewith.

Method of Payment of Fees

- ☐ Attached is a check in the amount of \$_____. This form is submitted in duplicate.
- ☐ Charge Deposit Account No. 50-1275 in the amount of \$180.00. This form is submitted in duplicate.
- ☒ Please charge any deficiency or credit any overpayment to Deposit Account 50-0436.
- ☐ No fee or Statement is required under 37 C.F.R. § 1.97(b).

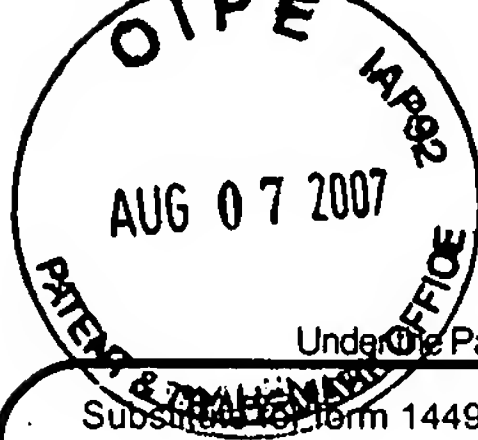
Respectfully submitted,



Mark DeLuca
Registration No. 33,229

Dated: 8/7/07

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Pittsburgh, PA 15219
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TO/SB/08a (08-03)

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Substituted Form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

1

of

9

Complete if Known

Application Number	10/561,656
Filing Date	Herewith
First Named Inventor	Jong Joseph Kim
Art Unit	1617
Examiner Name	To Be Determined
Attorney Docket Number	133121.00201

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication/Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	1	US-5,780,220	07-14-1998	Weiner et al.	
	2	US-6,039,968	03-21-2000	Nabahi	
	3	US-4,296,206	10-20-1981	Simons	
	4	US-4,386,085	05-31-1983	Teutsch	
	5	US-4,447,424	05-08-1984	Teutsch	
	6	US-4,477,445	10-16-1984	Philibert	
	7	US-4,519,946	05-28-1985	Teutsch	
	8	US-4,540,686	09-10-1985	Philibert	
	9	US-4,547,493	10-15-1985	Teutsch	
	10	US-4,634,695	01-06-1987	Torelli	
	11	US-4,634,696	01-06-1987	Teutsch	
	12	US-4,753,932	06-28-1988	Teutsch	
	13	US-4,774,236	09-27-1988	Cook	
	14	US-4,814,327	03-21-1989	Ottow	
	15	US-4,829,060	05-09-1989	Ottow	
	16	US-4,861,763	08-29-1989	Cook	
	17	US-4,912,097	03-27-1990	Teutsch	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date/Filing Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
	18	GB 929271	06-19-1963	Philips		
	19	WO 92/19616	11-12-1992	Guerrini		
	20	JP 62012791	01-21-1987	Osaka Chem Lab		
	21	WO 01/01996	01-11-2001	University Of Western Australia		

Examiner
SignatureDate
Considered

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2 of 9

Complete if Known

Application Number	10/561,656
Filing Date	Herewith
First Named Inventor	Jong Joseph Kim
Art Unit	1617
Examiner Name	To Be Determined
Attorney Docket Number	133121.00201

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Examiner Initials *	Cite No. ¹	Document Number	Publication/Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	22	US-5,223,261	06-29-1993	Nelson	
	23	US-5,380,760	01-10-1995	Wendel	
	24	US-5,702,720	12-30-1997	Effing	
	25	US-6,132,760	10-17-2000	Hedenstrom	
	26	US-3,832,252	10-02-1972	Higuchi, et al.	
	27	US-3,854,480	06-02-1970	Zaffaroni	
	28	US-4,957,119	09-18-1990	De Nijs	
	29	US-5,756,115	05-26-1998	Moo-Young	
	30	US-3,845,770	06-05-1972	Theeuwes, et al.	
	31	US-3,916,899	02-07-1976	Theeuwes, et al.	
	32	US-4,008,719	02-02-1976	Theeuwes, et al.	
	33	US-4,014,334	02-02-1976	Theeuwes, et al.	
	34	US-4,058,122	12-15-1976	Theeuwes, et al.	
	35	US-4,116,241	12-15-1976	Theeuwes, et al.	
	36	US-4,160,452	04-07-1977	Theeuwes	
	37	US-3,173,876	05-27-1960	Zobrist	
	38	US-3,276,586	10-04-1966	Rosaen	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date/Filing Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/561,656
				Filing Date	Herewith
				First Named Inventor	Jong Joseph Kim
				Art Unit	1617
				Examiner Name	To Be Determined
Sheet	3	of	9	Attorney Docket Number	133121.00201

U.S. PATENT DOCUMENTS					
Examiner Initials *	Cite No. ¹	Document Number	Publication/Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	39	US-3,541,005	02-05-1969	Strathmann, et al.	
	40	US-3,541,006	07-03-1968	Bixler, et al.	
	41	US-3,546,876	10-18-1968	Fokker, et al.	
	42	US-3,133,132	11-29-1960	Loeb, et al.	
	43	US-4,160,020	07-03-1979	Ayer	
	44	US-4,943,566	07-24-1990	Nedelec	
	45	US-4,490,954	01-01-1985	Cresti	
	46	US-4,978,657	12-18-1990	Teutsch	
	47	US-5,006,518	04-09-1991	Moguilewsky	
	48	US-5,043,332	08-27-1991	Teutsch	
	49	US-5,064,822	11-12-1991	Philibert	
	50	US-5,073,548	12-17-1991	Cook	
	51	US-5,089,488	02-18-1992	Ottow	
	52	US-5,089,635	02-18-1992	Neef	
	53	US-5,093,507	03-03-1992	Scheidges	
	54	US-5,095,010	03-10-1992	Elger	
	55	US-5,095,129	03-10-1992	Ottow	

FOREIGN PATENT DOCUMENTS						
Examiner Initials *	Cite No. ¹	Foreign Patent Document	Publication Date/Filing Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				

Examiner Signature		Date Considered	
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Sheet	4	of	9
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[illegible][illegible]Date
Considered

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Substitute for form 1449B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Application Number	10/561,656
				Filing Date	Herewith
				First Named Inventor	Jong Joseph Kim
				Art Unit	1617
				Examiner Name	To Be Determined
Sheet	5	of	9	Attorney Docket Number	133121.00201

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	61	Agarwal et al., "Glucocorticoid Antagonists," <i>FEBS Letters</i> (1987) 217:221-226.	
	62	Ali et al., "Interaction of polypyrimidine tract-binding protein with the 5' noncoding region of the hepatitis C virus RNA genome and its functional requirement in internal initiation of translation," <i>J. Virol</i> (1995) 69:6367-6375	
	63	Ali et al., "The La antigen binds 5' noncoding region of the hepatitis C virus RNA in the context of the initiator AUG codon and stimulates internal ribosome entry site-mediated translation," <i>Proc. Nat'l Acad. Sci. USA</i> (1997) 94:2249-2254	
	64	Asano et al., "Structure of cDNAs encoding human eukaryotic initiation factor 3 subunits. Possible roles in RNA binding and macromolecular assembly," <i>J. Biol. Chem.</i> (1997) 272: 27042-27052	
	65	Ayyavoo et al., "HIV-1 Vpr suppresses immune activation and apoptosis through regulation of nuclear factor kappa B," <i>Nat Med.</i> (1997) 3:1117-23	
	66	Ayyavoo et al., "HIV-1 viral protein R compromises cellular immune function in vivo," <i>Int Immunol</i> (2002) 14: 13-22	
	67	Bamberger et al., "Molecular determinants of glucocorticoid receptor function and tissue sensitivity to glucocorticoids," <i>Endocr Rev</i> (1996) 17: 245-261	
	68	Beato et al., "Interaction of steroid hormone receptors with the transcription initiation complex," <i>Endocr Rev.</i> (1996) 17: 587-609	
	69	Blackwell et al., "Translation elongation factor-1 alpha interacts with the 3' stem-loop region of West Nile Virus genomic RNA," <i>J. Virol</i> (2000) 71:6433-6444	
	70	Blight et al., "Efficient initiation of HCV RNA replication in cell culture," <i>Sci</i> (2000) 290:1972	
	71	Brown et al., "Secondary structure of the 5' nontranslated regions of hepatitis C virus and pestivirus genomic RNA's," <i>Nucleic Acids Res</i> (1992) 20:5041-5045	
	72	Buratti et al., "Functional analysis of the interaction between HCV 5' UTR and putative subunits of eukaryotic initiation factor eIF3," <i>Nucleic Acids Res</i> (1998) 26:3179-3187	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Application Number	10/561,656
		Filing Date	Herewith
		First Named Inventor	Jong Joseph Kim
		Art Unit	1617
		Examiner Name	To Be Determined
Sheet 6 of 9	Attorney Docket Number	133121.00201	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	73	Chrousos "The hypothalamic-pituitary-adrenal axis and immune-mediated inflammation," <i>N. Engl. J. Med.</i> (1995) 332:1351-1362	
	74	Croxatto et al., "Effects of continuous treatment with low dose mifepristone throughout one menstrual cycle," <i>Human Reprod.</i> (1992) 7:945-50	
	75	Fletcher et al., "Pestivirus internal ribosome entry site (IRES) structure and function: Elements in the 5' untranslated region important for IRES function," <i>J Virol</i> (2002) 76:5024-5033	
	76	Fukushi et al., "Specific interaction of a 25-kilodalton cellular protein, a 40S ribosomal subunit protein with the internal ribosome entry site of hepatitis C virus genome," <i>Virus Genes</i> (1999) 19:153-161	
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			Application Number	10/561,656	
			Filing Date	Herewith	
			First Named Inventor	Jong Joseph Kim	
			Art Unit	1617	
			Examiner Name	To Be Determined	
Sheet	7	of	9	Attorney Docket Number	133121.00201

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	86	Kino et al., "The HIV-1 virion-associated protein vpr is a coactivator of the human glucocorticoid receptor," <i>J. Exp. Med.</i> (1999) 189: 51-62	
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	109	Tang et al., "Alterations to both the primary and predicted secondary structure of stem-loop IIIc of the hepatitis C virus 1b 5' untranslated region (5'UTR) lead to mutants severely defective in translation which cannot be complemented in trans by the wild-type 5'UTR sequence," <i>J. Virol</i> (1999) 73:2359-2364	
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